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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID HO, JOHN MAXTON, NATHAN
LAY, and SARAH FERNANDEZ on behalf
of themselves and others similarly situated
and on behalf of the general public and
DOES 1-20,

Plaintiff,

v.

ERNST & YOUNG LLP,

Defendant.

Case No. CV 05-04867-JF (HRL)

(Consolidated for Class Certification
Purposes with Case Nos. C-08-4988-JF and
C-08-2853-JF)

[Assigned for all purposes to the Honorable
Jeremy Fogel]

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE and
[proposed] ORDER**

Complaint Filed: September 27, 2005

JOSEPH LANDON, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

ERNST & YOUNG LLP, a limited liability
partnership; ERNST & YOUNG U.S. LLP, a
limited liability partnership; and DOES 1-
100, inclusive,

Defendants.

Case No. CV 08-02853-JF (HRL)

[Assigned for all purposes to the Honorable
Jeremy Fogel]

Complaint Filed: February 21, 2008

MICHELLE RICHARDS, on behalf of
herself and all others similarly situated and
on behalf of the general public,

Plaintiffs,

v.

ERNST & YOUNG LLP, and DOES 1 - 50,

Defendants.

Case No. 08-cv-04988-JF (HRL)

[Assigned for all purposes to the Honorable
Jeremy Fogel]

Complaint Filed: June 19, 2008

1 WHEREAS this Court has set a date of April 10, 2009 for a Further Case Management
2 Conference in the above-captioned cases;

3 WHEREAS lead trial counsel for Plaintiffs Fernandez and Richards has an unavoidable
4 scheduling conflict that prevents his attendance at the Case Management Conference on April 10,
5 2009; and

6 WHEREAS the parties continue to meet and confer regarding their respective positions.

7 THE PARTIES HEREBY STIPULATE, by and through their respective undersigned counsel,
8 and pursuant to Local Rule 16-2(e) and the Standing Order Regarding Case Management of Civil
9 Cases in this Court, that:

- 10 1. The Case Management Conference in the above-captioned cases be CONTINUED to
11 April 24, 2009 at 10:30 a.m. before Judge Jeremy Fogel. Position statement shall be
12 filed by April 17, 2009 , if needed.

13 Respectfully submitted,

14
15 Dated: April 3, 2009

MILSTEIN, ADELMAN & KREGER, LLP

16 By William A. Baird
17 William A. Baird

18 Attorneys for Plaintiff JOSEPH LANDON
HOFFMAN & LAZEAR

19 Dated: April 2, 2009

20 By Ross L. Libenson
21 Ross L. Libenson
22 Attorneys for Plaintiffs MICHELLE RICHARDS &
SARAH FERNANDEZ

23 Dated: April __, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

24 By _____
25 Catherine A. Conway
26 Attorneys for Defendants ERNST & YOUNG LLP and
ERNST & YOUNG U.S. LLP

27 ///
28 ///

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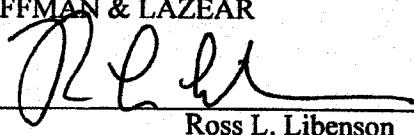
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MILSTEIN, ADELMAN & KREGER, LLP

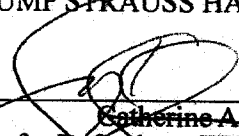
17 By _____
18 William A. Baird
19 Attorneys for Plaintiff JOSEPH LANDON
HOFFMAN & LAZEAR

20 Dated: April 2, 2009

21 By  _____
22 Ross L. Libenson
Attorneys for Plaintiffs MICHELLE RICHARDS &
SARAH FERNANDEZ

23 Dated: April __, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

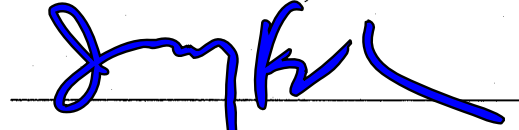
24 By  _____
25 Catherine A. Conway Gregory W. Ken
26 Attorneys for Defendants ERNST & YOUNG LLP and
ERNST & YOUNG U.S. LLP

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28 ///

{proposed} ORDER

The Court having reviewed the stipulation and the file in this matter, it is so **Ordered**.

Dated: 4/9/09


Hon. Jeremy Fogel.